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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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09/781,198

02/13/2001

Frank D. Lortscher

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07/08/2005

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
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EXAMINER

BORISSOV, IGOR N

ART UNIT

PAPER NUMBER

3639

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental
Notice of Allowability**

Application No.

09/781,198

Examiner

Igor Borissov

Applicant(s)

LORTSCHER ET AL.

Art Unit

3639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Interview conducted on June 14, 2005.
2. ☒ The allowed claim(s) is/are 1-8,10-19,21-28,30-37,39,40,42-63,65-71,73-79,81-87,89-98,102-113 and 118.
3. ☒ The drawings filed on 13 February 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

This amendment is a supplemental amendment.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's supplemental amendment was given in a personal interview with an applicant's representative John Mulcahy (Reg. No.: 55940) on Tuesday, June 14, 2005.

The application has been amended as follows:

IN THE CLAIMS

92. (Fourth time Amended) A system for sharing consumer information between users and subscribers, comprising:

at least one database containing: (1) consumer information provided by at least one user in response to an incentive offered to at least one potential user to contribute the consumer information to the database; and (2) user access preferences describing an extent to which subscribers may access each respective user's consumer information;

at least one administrative agent for establishing access by subscribers to the consumer information contained in the database based on the user access preferences expressed by each user contributing consumer information to the database;

at least one licensing agent for setting at least one licensing fee schedule for each user contributing the consumer information to the database, in response to the incentive based on a set of licensing rules, wherein the licensing fee schedule reflects licensing fees paid to the contributing users; and

at least one payment agent for paying each of the users based on the licensing fee schedule and a set of payment rules, wherein the licensing fee schedule is a declining fee schedule such that a licensing fee paid to a user declines until at least one of: (a) the user's consumer information has been updated, or (b) the user's consumer information has been verified, and

a computer processor for performing the functions of at least one of the at least one administrative agent, [or] the at least one licensing agent[;], or at least one payment agent.

95. (Third time Amended) A system for managing user personal information for access by subscribers, comprising:

at least one database containing: (1) personal information provided by at least one user in response to an incentive offered to at least one potential user to contribute the personal information to the database; and (2) user access preferences describing an extent to which subscribers may access each respective user's personal information;

at least one administrative agent for establishing access by subscribers to the personal information contained in the database based on the user access preferences expressed by each user contributing personal information to the database; and

at least one licensing agent for setting at least one licensing fee schedule for each user contributing the personal information to the database, in response to the incentive based on a set of licensing rules, wherein the licensing fee schedule reflects licensing fees paid to the contributing users, and wherein the licensing fee schedule is a declining fee schedule such that a licensing fee paid to a user declines until ~~at least~~ at least one of: (a) the user's personal information has been updated, or (b) the user's personal information has been verified; and

a computer processor for performing the functions of at least one of the at least one administrative agent or the at least one licensing agent;

wherein at least one user's response includes authorization to access information about the at least one potential user from a third party source of user information.

97. (Third time Amended) A computer-readable medium containing program instructions for execution by a computer, which, when executed by the computer cause the computer to implement a method for sharing consumer information between users and subscribers, comprising:

offering an incentive to potential users to induce the potential users to contribute consumer information for a database of consumer information;

creating the database of consumer information related to consumer information from a plurality of users who contributed consumer information in response to the incentive;

receiving access preferences from the plurality of users contributing personal information in response to the incentive, wherein the access preferences describe an extent to which subscribers may access each respective user's personal information, and wherein at least one of the potential users' response includes authorization to access information about the at least one of the potential users from a third party source of user information;

establishing access by subscribers to the consumer information contained in the database based on the access preferences of each of the plurality of users;

setting a licensing fee schedule for each of the plurality of users based on a set of licensing rules, wherein the licensing fee schedule is a declining fee schedule such that a licensing fee paid to a user declines until ~~at least~~ at least one of: (a) the user's consumer information has been updated, or (b) the user's consumer information has been verified; and

paying each of the plurality of users based on the set of licensing rules and a set of payment rules.

Allowable Subject Matter

Claims 1-8, 10-19, 21-28, 30-37, 39, 40, 42-63, 65-71, 73-79, 81-87, 89-98, 102-113 and 118 are allowed.

The following is an examiner's statement of reasons for allowance:

As per independent claims 1, 14, 23, 32, 42, 43, 89, 92 and 95-98, the best prior art, O'Neil et al. (US 5,987,440) in view of Goldhaber et al. (US 5,855,008) and further in view of Stefik et al. (US 6,236,971) teach a method, system and a computer-readable medium having instructions for execution by a computer said method, including: offering to customers an incentive in exchange for providing customer personal information; creating a database of consumer information; receiving, from the customers, access preferences information, said information including rules determining who gets access to each item of information; providing access to subscribers to said database of consumer information; establishing a fee schedule based on rules for paying each individual for using his/her information based on said fee schedule; wherein the fee schedule is a declining fee schedule.

However, O'Neil et al. in view of Goldhaber et al. and further in view of Stefik et al. do not teach that said declining fee schedule is reset when at least one of: (a) the user updates their consumer information, or (b) the user verifies their consumer information.

The best NPL prior art, Thomas M. A, while teaching voluntarily submission personal information by customers for targeted advertising, fails to disclose establishing access preferences information, and a fee schedule based on rules for paying each consumer for using his/her information based on said fee schedule; wherein the fee schedule is a declining fee schedule.

The best foreign art, Onishi (JP02002049739A) appears to disclose managing of consumer information database; however fails to disclose offering to customers an incentive in exchange for providing customer personal information; establishing access preferences information, and a fee schedule based on rules for paying each consumer for using consumer information based on said fee schedule; wherein the fee schedule is a declining fee schedule.

The remaining dependent claims are considered allowable, as they are dependent and based off of an allowable independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason for Allowance".

Conclusion

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (571) 272-6801.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Hayes, can be reached at (571) 272-6708.

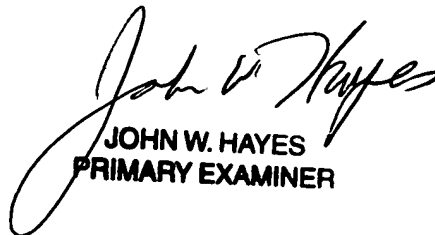
Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington D.C. 20231

or faxed to:

(703) 872-9306 [Official communications; including After Final
communications labeled "Box AF"]

IB
6/16/2005


JOHN W. HAYES
PRIMARY EXAMINER